

Before the
COPYRIGHT ROYALTY BOARD
LIBRARY OF CONGRESS
Washington, D.C.

In the Matter of:)
)
)

DETERMINATION OF RATES AND)
TERMS FOR MAKING AND)
DISTRIBUTING PHONORECORDS)
(PHONORECORDS III))
_____)

Docket No. 16-CRB-003-PR (2018-2022)
(Remand)

DECLARATION AND CERTIFICATION OF LESLIE V. POPE
REGARDING RESTRICTED MATERIALS

(On behalf of Amazon.com Services LLC)

1. I am counsel for Amazon.com Services LLC (“Amazon”) in the above-captioned case. I respectfully submit this declaration and certification pursuant to the terms of the Protective Order issued July 27, 2016 (“Protective Order”). I am authorized by Amazon to submit this Declaration on Amazon’s behalf.

2. I am familiar with the documents produced by Amazon in this proceeding.

3. I have reviewed the definitions and terms provided in the Protective Order. After consultation with my client, I have determined to the best of my knowledge, information and belief that the Services’ Joint Response to the Judges’ February 9, 2022 *Sua Sponte* Order Regarding Additional Briefing and Rebuttal Regarding “New Agency Action” contains information that Amazon has designated as “confidential information” as defined by the Protective Order (“Protected Material”).

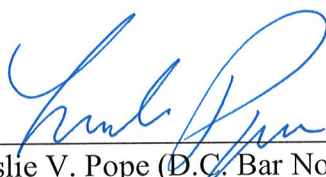
4. Such Protected Material includes, but is not limited to, highly confidential internal business information and financial information that are proprietary, not available to the public, and commercially sensitive.

5. If this financial and business information were to become public, it would place Amazon at a commercial and competitive disadvantage, unfairly advantage other parties to the detriment of Amazon, and jeopardize its business interests.

6. The financial and business information described in the paragraphs above must be treated as Restricted Protected Material in order to prevent business and competitive harm that would result from the disclosure of such information while, at the same time, enabling Amazon to provide the Copyright Royalty Judges with the most complete record possible on which to base their determination in this proceeding.

Pursuant to 28 U.S.C. § 1746, I hereby declare under the penalty of perjury that, to the best of my knowledge, information and belief, the foregoing is true and correct.

Dated: February 24, 2022
Washington, D.C.



Leslie V. Pope (D.C. Bar No. 1014920)
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Counsel for Amazon.com Services LLC

Proof of Delivery

I hereby certify that on Thursday, February 24, 2022, I provided a true and correct copy of the Declaration and Certification of Leslie V. Pope Regarding Restricted Materials to the following:

Johnson, George, represented by George D Johnson, served via ESERVICE at george@georgejohnson.com

National Music Publishers' Association (NMPA) et al, represented by Benjamin Semel, served via ESERVICE at Bsemel@pryorcashman.com

Nashville Songwriters Association International, represented by Benjamin K Semel, served via ESERVICE at Bsemel@pryorcashman.com

Signed: /s/ Scott Angstreich